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**BEFORE THE DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSES OF)	
ROGER BELDEN LEWIS TO)	STIPULATION AND ORDER
PRACTICE AS A PHYSICIAN AND TO)	
PRESCRIBE AND ADMINISTER)	
CONTROLLED SUBSTANCES)	CASE NO. DOPL 2006-141
IN THE STATE OF UTAH)	

STIPULATION

ROGER BELDEN LEWIS ("Respondent") and the **DIVISION OF
OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce
("Division") stipulate and agree as follows

1 Respondent admits the jurisdiction of the Division over Respondent and over the
subject matter of this action

2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily

3 The Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has retained Mark R Gaylord and Jason D Boren of the law firm of Ballard, Spahr, Andrews & Ingersoll, LLP to represent him in this matter

4 Respondent understands that Respondent is entitled to a hearing before the Utah State Physician Licensing Board ("the Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent acknowledges that by executing this document Respondent hereby waives the right to a hearing and any other rights to which Respondent may be entitled in connection with said hearing

5 A Petition and Notice of Agency Action have been filed and served upon Respondent in the above-entitled case

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document and may be released to other persons and entities

7 Without admitting or denying the following conduct, Respondent agrees, for the purposes of these proceedings only, the Division may make the following Findings of Fact

- a On or about January 6, 2004 A M A (name withheld for purposes of confidentiality), a resident of Wichita, Kansas, traveled to Springville, Utah for medical treatment at the Young Life Research Clinic (YLRC) Respondent was the Medical Director of YLRC and in charge of AMA's care and treatment A M A was treated at YLRC until on or about January 26, 2004

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- b While under Respondent's care, A M A received various diagnostic tests, and was treated with multiple types of intra venous therapies including high doses of Vitamin C, hydrogen peroxide, and ethylenediaminetetraacetic acid, (chelation therapy) glutathione, glycyrrhizin and GH3 A M A was given regular colonic irrigations ("colonic hydro therapy") and treated with various "essential oils" that were manufactured and distributed by the YLRC
 - c The baseline kidney function test results that A M A obtained before coming to YLRC showed no pre-existing kidney function impairment or disease
 - d On or about January 21, 2004, A M A began to feel acutely unwell A M A voiced concerns about feeling ill to Respondent and staff at YLRC A M A reported nausea, violent vomiting, weakness, and disorientation to Respondent Respondent ignored A M A's reports A M A was advised by Respondent and other staff members that her symptoms indicated that the treatments A M A was undergoing were working to A M A's benefit, and that A M A's symptoms were normal and expected
 - e By January 22, 2004, A M A's medical condition had deteriorated significantly A M A continued to vomit and became severely disoriented Respondent and other staff members continued to reassure A M A that her *worsening medical condition was normal and not an unusual reaction to the treatments she was receiving at Respondent's direction* In spite of A M A's complaints and observable symptoms of illness, Respondent did not examine A M A or order any diagnostic tests to determine the cause of A M A's worsening medical condition Respondent did not refer A M A to any other medical consultant or medical facility
 - f On or about January 23, 2004, A M A complained of severe pain in her right hip area Respondent's own chart notes on A M A show that A M A was vomiting yellow bile Respondent had administered so many I V s to A M A that by January 23, 2004, staff at YLRC could no longer find veins to administer further I V s
 - g Between January 24, 2004 and January 25, 2004, A M A's urine output decreased and ultimately ceased Respondent made no effort to monitor or record urine output volume in A M A's medical chart, nor did Respondent examine or take any action to evaluate what was causing A M A's decrease in urine output Respondent did not recognize that the loss of urine output was evidence of kidney failure Instead of taking effective action to address A M A's kidney failure, Respondent ordered that A M A be treated with "herbal kidney packs" A M A eventually refused the various treatments

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that Respondent was prescribing for her

- h On or about January 26, 2004, Respondent discharged A M A YLRC At the time of her discharge, A M A was presenting obvious signs and symptoms of acute renal failure, with resultant fluid overload After AMA's departure from YLRC, Respondent did not refer A M A to any emergency care facility
- i Within hours after A M A 's arrival at her home in Wichita, Kansas, on January 26, 2004, AMA was admitted to the Via Christi St Francis Regional Medical Center where A M A was diagnosed with severe and advanced renal failure, massive fluid overload, edema, disorientation, multiple organ failure and system imbalances A M A was hospitalized in Wichita from January 26, 2004 until February 7, 2004 After February 7, 2004, A M A was admitted to a nursing home for continuing dialysis
- j On or about November 8, 2005, Paul J Teitell, of the Denver District Office of the Food and Drug Administration ("FDA") advised the Division that the FDA has never approved the use of intra venous infusions of 75,000 mg of vitamin C, and intra venous infusions of hydrogen peroxide, glutathione, glycyrrhizin and GH3 to treat human illnesses or diseases

8 While Respondent neither admits nor denies the alleged Facts made above, Respondent acknowledges that if they were proven at hearing they may constitute unprofessional conduct as defined in Utah Code Ann § 58-1-501(2)(a) and (g) and Utah Admin Code R156-67-102(2), R156-67-502(14) and R156-67-603 Further, Respondent acknowledges that any such conduct proven at any such hearing may justify disciplinary action against Respondent's license pursuant to Utah Code Ann § 58-1-401(2)(a) In order to avoid the necessity of an adjudicative hearing in this matter, Respondent agrees an Order may be issued in this matter providing for the following action against his licenses

- (1) The Respondent's licenses shall be revoked The revocation shall be immediately stayed and the Respondent's licenses shall be suspended pending the successful completion of subparagraph 8(1)(c) below After the suspensions have been lifted, Respondent's licenses shall be subject to a term of probation for a period of five (5) years The period of probation shall commence on the date the suspension

is lifted. During the period of probation, the Respondent shall be subject to all of the following terms and conditions. If the Board/Division later deems any of the conditions unnecessary such deletions may be made by an amended order issued unilaterally by the Division.

- a Respondent shall meet with the Board within thirty (30) days of the signing of this Stipulation and Order. Respondent shall then meet with the Board on a quarterly basis or at such other greater or lesser frequency as determined by the Board and Division for the duration of the Stipulation and Order. Respondent agrees to meet with an assigned staff member prior to the first Board meeting.
- b Respondent shall select William D. Preston or another physician as his supervising physician, who must first be approved by the Board/Division. The supervising physician shall provide quarterly reports to the Board. The supervising physician shall conduct a review of 10% of Respondent's patient charts. The charts reviewed shall be selected by the supervisor or the Division. The supervising physician shall be provided with a copy of this Stipulation and Order.
- c Respondent shall submit to having his medical skills and abilities evaluated by the Center for Personalized Education for Physicians ("CPEP"), the entire cost of which shall be paid by Respondent. Thereafter, Respondent shall submit to any remedial training recommended and/or suggested by CPEP, if any.
- d Respondent shall notify the Board in writing within one (1) week of any change of employer, employment status, or practice status. This notification is required regardless of whether Respondent is employed in Respondent's profession. If Respondent leaves the State of Utah for a period longer than sixty (60) days, Respondent shall notify the Division and Board in writing of the dates of Respondent's departure and return. The licensing authorities of the jurisdiction to which Respondent moves shall be notified by Respondent in writing of the provisions of this Stipulation and Order. Periods of residency or practice outside the State of Utah may apply to the reduction of the period this Stipulation and Order is in effect, if the new state of residency places equal or greater conditions upon the Respondent as those contained in this Stipulation and Order.
- e If Respondent at any time during the period of this agreement is convicted of a felony or misdemeanor, or enters a plea in abeyance to a felony or misdemeanor, including a pending criminal charge, the Division may take appropriate action against Respondent, including imposing appropriate sanctions, after notice and opportunity for hearing. Such sanctions may include revocation or suspension of Respondent's license, or other appropriate sanctions.

- f Respondent must maintain a current license at all times during the period of this agreement
- g In the event Respondent does not practice as a physician for a period of sixty (60) days or longer, Respondent shall notify the Board in writing of the date Respondent ceased practicing. The period of time in which Respondent does not practice shall not be counted toward the time period of this Stipulation and Order. It shall be within the discretion of the Board to modify this Order. It shall be within the discretion of the Board to modify this requirement if Respondent satisfactorily explains to the Board that compliance in Respondent's case was impractical or unduly burdensome. Respondent must work at least eight (8) hours per week and no more than forty-eight (48) hours per week to be considered "practicing" in Respondent's profession.
- h If Respondent is employed as a physician, he shall notify any employer or practice associate of Respondent's restricted status and the terms of this agreement. Respondent shall further cause Respondent's employer to submit performance evaluations to the Board on a monthly basis for six months and quarterly thereafter. The receipt of an unfavorable report from an employer may be considered to be a violation of the terms of this Stipulation and Order. If the Respondent is not employed as a physician/surgeon, Respondent shall submit the required employer report form to the Board on the date it is due and indicate on that form that Respondent is not currently employed in Respondent's licensed occupation or that Respondent is not currently working.
- i If Respondent is employed as a physician, he shall provide to Respondent's employer(s) and/or practice associates a copy of this Stipulation and Order and cause each employer or practice associate to acknowledge to the Board in writing, that a copy of this Stipulation and Order has been provided to the employer.
- j Failure of Respondent to pay for any of the expenses incurred by fulfilling the terms of this agreement shall be considered a violation of probation.
- k Should Respondent choose to employ a physician's assistant, that physician's assistant's practice shall be subject to the restrictions contained herein while Respondent's employee.
- l Should Respondent be arrested or charged with a criminal offense by any law-enforcement agency for any reason or should Respondent be admitted as a patient to any institution in this state or elsewhere for treatment regarding the abuse of or dependence on any chemical substance, or for treatment for any emotional or psychological disorder, Respondent agrees to cause the Division and Board to be notified immediately.

- m If the time for completion of a term or condition of this Order is not specified the Board and Division shall have the discretion to set the time frame for completion. Failure to timely complete a term or condition as instructed by the Board and Division shall constitute a violation of this Order.

9 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and the Respondent waive any claim of bias or prejudgment Respondent might have with regard to the Director solely by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

10 Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's practice of a physician/surgeon.

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

12 The terms and conditions of this Stipulation and Order become effective March 31, 2007, upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

ORDER

THE ABOVE STIPULATION, in the matter of **ROGER BELDEN LEWIS**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 27 day of March, 2007

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


F DAVID STANLEY
Director